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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,362	01/28/2004	Meng Pei Chen	4200SF	6553
7590	12/29/2005			
Meng Pei Chen P.O. Box 63-298 Taichung, 406 TAIWAN			EXAMINER SELLS, JAMES D	
			ART UNIT 1734	PAPER NUMBER

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/768,362

Applicant(s)

CHEN, MENG PEI

Examiner

James Sells

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 9-11 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coninck et al (US Patent 6,328,842) in view of Bock (US Patent 4,927,479).

Coninck discloses a machine for welding hollow articles. As shown in Figs. 2 and 3A-I, plastic shells 21 and 22 are loaded into upper and lower molds or platens 24 and 27. Pistons 52 and 57 and vacuum suckers 51 and 56 hold and position the shells in the platens. Rams press the plastic shells against opposite sides of heating platen 54. The heating platen is then removed via holder 35 and the rams press the shells 21 and 22 to weld them together in the manner claimed by the applicant.

However, Coninck does not disclose the vacuum device as claimed by the applicant. Regarding this difference, the applicant is directed to the reference of Bock.

Bock discloses a pressing apparatus. As shown in Figs. 3-9, the apparatus comprises upper and lower press plates 20 and 11. These plates 11 and 20 are provided with openings 14 and 16 connected to a vacuum pump (not shown). These vacuum openings facilitate holding and positioning of materials during pressing operations. For these reasons, it would have been obvious to one having ordinary skill

in the art to substitute the vacuum system disclosed by Bock for the vacuum suckers disclosed in the device of Coninck.

The applicant is reminded that the materials used are not germane to the patentability of an apparatus claim.

3. Claims 3-6, 8 and 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coninck in view of Bock as described above in paragraph 2 in further view of Wawrzyniak (US Patent 5,997,688).

Wawrzyniak discloses a blister-sealing device. The device includes shield 70 attached to the heating plate assembly 40 to cover the outer plate 68. This shield 70 may be a thin metallic layer that is heat-resistant (see col. 6, lines 5-13).

It would have been obvious to one having ordinary skill in the art to employ a heat shield, as taught by Wawrzyniak, in the device of Coninck in order to protect the operator and minimize heat loss. Further, it is the examiner's position that the adjusting system, smoke exhauster and lever assembly are within the purview of one having ordinary skill in the art and would have been obvious to employ in the device of Coninck in order to facilitate welding of the materials.

Response to Arguments

4. Applicant's arguments with respect to claims 1-6 and 8-19 have been considered but are moot in view of the new ground(s) of rejection.

Telephone/Fax

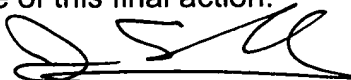
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sells whose telephone number is (571) 272-1237. The examiner can normally be reached on Monday-Friday between 9:30 AM and 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached at (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


JAMES SELLS
PRIMARY EXAMINER
TECH. CENTER 1700